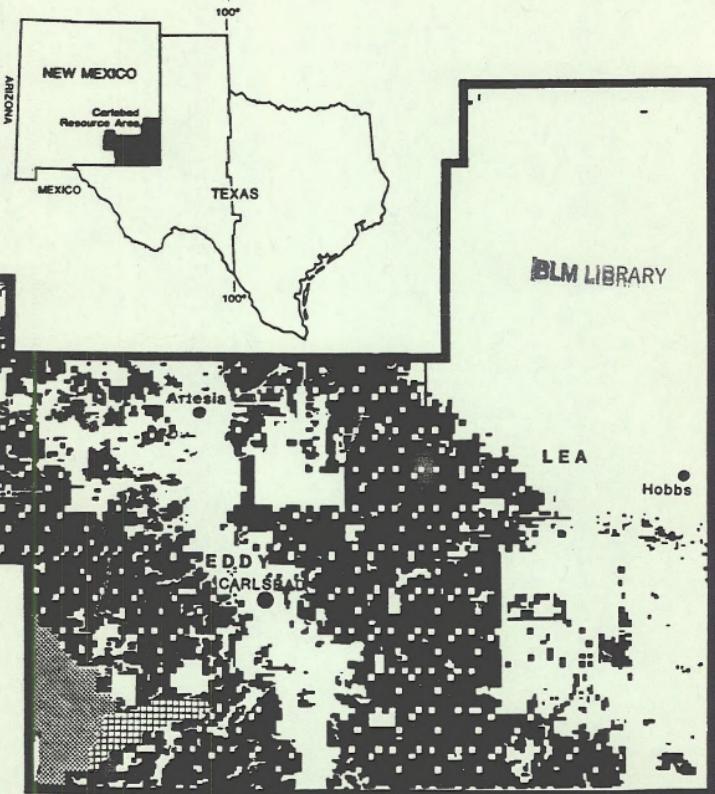


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RECORD OF DECISION

CARLSBAD Resource Management Plan

U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT
ROSWELL DISTRICT, NEW MEXICO

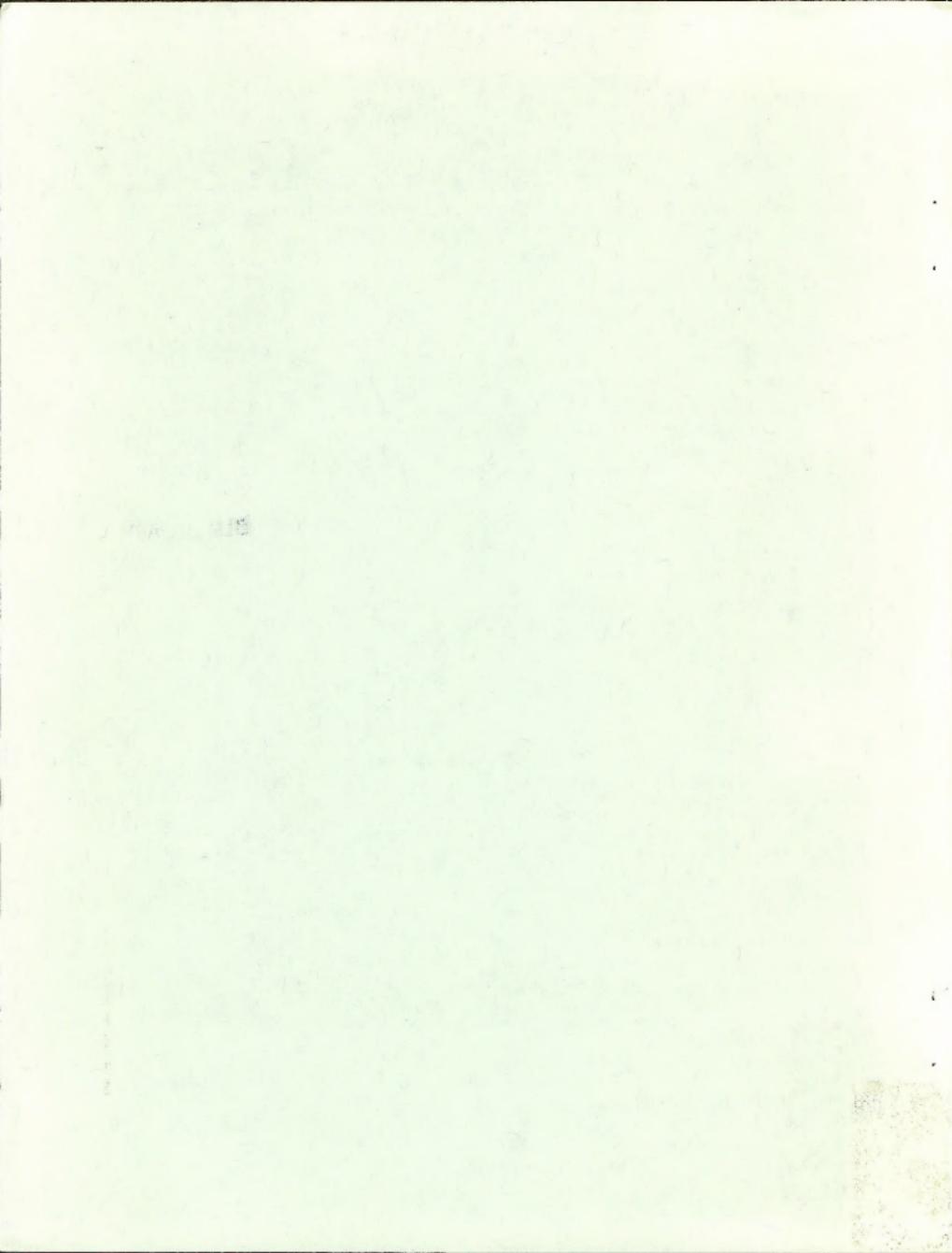


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RECORD OF DECISION
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INTRODUCTION

This approved Record of Decision describes the Bureau of Land Management (BLM) decisions for managing approximately 2.2 million surface acres of public land and approximately 2.7 million acres of Federal mineral estate in the Carlsbad Resource Area (CRA). The approved Resource Management Plan (RMP) constitutes the multiple-use plan for the public surface lands and Federal subsurface mineral estate administered by the BLM in Eddy and Lea Counties and portions of southwest Chaves County, New Mexico.

Resources managed by the Bureau in the Resource Area include oil, natural gas, potash, and various other mineral commodities; a wide variety of rangeland vegetation and wildlife habitats; and public lands for utility and transportation rights-of-way, public purpose withdrawals and other facilities.

Along with the production of valuable mineral and rangeland resources, BLM's multiple-use responsibilities include the protection of habitats for threatened and endangered plant and animal species, riparian and wetland areas, freshwater aquifers, caves, scenic open spaces, archeological and historic sites, natural history and other sensitive environmental values.

DECISION

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The decision is hereby made to approve the Plan as described in the Revised Proposed Resource Management Plan (RMP) issued January, 1988 as the land use plan for the Carlsbad Resource Area.

The RMP was prepared following the Code of Federal Regulations (CFR), Title 43 Part 1600, which describes the procedures for implementing the Federal Land Policy and Management Act (FLPMA) of 1976. A Final Environmental Impact Statement (EIS) was prepared for the Proposed RMP in compliance with the National Environmental Policy Act (NEPA) of 1969.

Approval of the Resource Management Plan constitutes formal designation of five Areas of Critical Environmental Concern (ACECs). The ACEC designations and affected acreages are as follows:

1. Chosa Draw Caves Complex (2,200)
2. Dark Canyon (1,480)
3. Lonesome Ridge (2,990)
4. Blue Spring (160)
5. Pecos River Canyons Complex (5,190)

Approval of the Resource Management Plan also completes decisions to designate about 2.2 million acres of public land in Eddy, Lea and southwest Chaves Counties in New Mexico as open, limited or closed to motor vehicle travel. The area designations and affected acreages are listed in this Record of Decision in the "Off Road Vehicle Management" section under the "Special Management Area Issue" heading.

The Plan also designates two Off-Road Vehicle Intensive Use Areas totaling 56,700 acres for organized or competitive events.

The Resource Management Plan designates 220,700 acres for disposal from Federal ownership. The remaining 1,979,300 acres are designated for retention and management by BLM. The Plan also proposes acquisition by BLM of 1,080 acres of private surface land, 2,120 acres of State land and 1,840 acres of non-Federal mineral estate to support multiple-use objectives. Other lands may be acquired within retention zones if determined to contain resources important for special management programs.

Approval of the Resource Management Plan also designates the following:

- o Outstanding Natural Area: The 2,990-acre Lonesome Ridge ACEC is also designated as an Outstanding Natural Area (ONA).
- o Research Natural Areas: Five Research Natural Areas (RNAs) totaling 4,670 acres.
- o Right-of-Way Corridors: Five-one mile-wide Corridors totaling 185 miles in length, and encompassing 118,400 acres.
- o Right-of-Way Avoidance Areas: 34,241 acres of avoidance areas in 27 Special Management Areas (SMA's) and 3,120 acres outside SMA's, for a total of 37,361 acres.
- o Fire Management Zones: Limited Fire Suppression Zones totaling 159,017 acres.
- o Recreation Areas: Eight Special Recreation Management Areas (SRMAs) totaling 11,900 acres.
- o Cultural Resource Management Areas: Seven Cultural Resource Management Areas totaling 17,028 acres.
- o Scenic Areas: The Guadalupe Escarpment and Dark Canyon Scenic Areas (52,790 acres).

Decisions in the Resource Management Plan do not repeal valid existing rights on public lands. Valid existing rights are those claims or rights to public lands or mineral resources that take precedence over the RMP decisions, such as valid mining claims, oil and gas leases, rights-of-way and water rights.

DECISIONS FOR PLANNING ISSUES

Planning Issues

The BLM planning regulations (43 Code of Federal Regulations Part 1600) approach land use planning through problem solving and planning issue resolution. An issue is defined as an opportunity, conflict, or problem regarding the use or management of public lands and resources. Not all problems can be resolved through land-use planning, and may require changes in policy, budget, or law.

The five issues identified by BLM early in the planning process were based on extensive public involvement through meetings with individuals, special interest groups, industry representatives, and other Federal, State and local government agencies. The Carlsbad Resource Management Plan (RMP) decisions establish allowable resource uses, resource condition objectives, levels of production, areas for limited, exclusive or restricted uses, program constraints, and general management direction related to the following issues:

- o Land Tenure Adjustment
- o Minerals and Energy Resources
- o Rangeland Resources
- o Special Management Areas
- o Access

Land Tenure Adjustment Issue

Approximately 220,700 acres of public land are designated for disposal from Federal ownership through the RMP. Disposal actions will include sales and exchanges. Disposal zones are located in east Lea County, southwest Chaves County, and the Hart Canyon, Lower Black River, and the Hope areas of Eddy County. Land exchange is the BLM's preferred disposal method.

Approximately 1,950,300 acres are to be retained in public ownership. In addition, BLM plans to acquire 1,080 acres of private land and 2,120 acres of State land to protect important resource values and to meet objectives for Special Management Areas designated through the approved RMP. Other lands may be acquired within retention zones if determined to contain resources important for special management programs.

Mineral and Energy Resources Issue

Oil and Gas Leasing: Federal mineral estate open for oil and gas development with special stipulations totals 252,630 acres. Of this acreage, 45,197 acres have a No Surface Occupancy (NSO) stipulation applied through the RMP. The remaining 2,456,715 acres of Federal mineral estate is open subject to standard terms and conditions or carry existing approved stipulations (i.e. floodplain, wilderness, prairie chicken).

Solid Leasable Minerals: Potash leasing within the potash enclave will continue subject to standard lease terms and conditions. Potash prospecting will not be allowed on 41,956 acres outside the enclave. Other solid mineral leasing will be closed on 48,186 acres, leaving 2,661,159 acres open to leasing and development subject to standard stipulations.

Mineral Materials: Caliche, sand, gravel, building stone and other salable minerals will continue to be available from 2,648,632 acres of public lands. Current withdrawals of 1,560 acres, plus an additional 59,153 acres, are closed to mineral material development. New pits will be permitted only when existing pit locations are not near enough, usually within three miles, to support multiple-use needs. Closure and rehabilitation of existing pits will be completed on a case-by-case basis.

Locatable Minerals: Approximately 2,682,167 acres of Federal mineral estate will be open to mineral entry and development. Four withdrawals totaling 11,680 acres will continue; an additional 23 withdrawals totaling 15,498 acres will be initiated by BLM as a result of RMP decisions.

Rangeland Resources Issue

Soil, Water, and Air: Soil, water, and air resources will continue to be evaluated on a project basis through the Environmental Assessment (EA) process. Activities will be managed to maintain soil productivity and to minimize erosion. Watershed activity plans will be developed to improve or stabilize watershed condition. These plans will include watershed treatments such as reseeding and erosion or flood control structures.

Flood hazards will be evaluated in planning for facilities, land disposals and other activities to reduce the risk of flood loss.

Impacts to air quality will continue to be addressed at the activity and/or project planning stage through the Environmental Assessment process.

Vegetation: Vegetation treatments will be applied to approximately 62,000 acres, or 6 percent of the total Federal acreage, west of the Pecos River. Approximately 95 percent will be treated with prescribed fire, while the remainder will be treated chemically.

Livestock Grazing: The 12 existing Allotment Management Plans (AMPs) will be fully implemented and maintained. An additional 49 Cooperative Management Plans (CMPs) will be developed, implemented and maintained. These AMPs and CMPs will cover 413,000 acres. Approximately \$900,000 has been planned to be spent for rangeland improvements. In the long term, livestock grazing could increase from 192,000 animal units per month (AUMs) to 225,000 AUMs.

To reduce conflicts with sensitive spring and river riparian habitats, fragile watersheds and other natural values, livestock grazing will be removed from 13 Special Management Areas totaling 4,969 acres.

Wildlife Habitat: Habitat Management Plans (HMPs) will be developed and implemented on approximately 125,000 acres of mule deer habitat and on approximately 114,500 acres of pronghorn antelope habitat. Improvements will include water developments, fence modifications, and prescribed burning. Game bird habitat quality will be improved on approximately 96,000 acres by developing and implementing an HMP. Key raptor areas including the Los Medanos area will be managed under an HMP encompassing approximately 1.5 million acres.

A Habitat Management Plan will be developed for all of the riparian standard habitat sites within the Resource Area. Approximately 54,500 acres will be managed to enhance aquatic resources and vegetation condition.

Four Research Natural Areas (RNA) covering 4,250 acres and one Area of Critical Environmental Concern (ACEC) covering 160 acres are designated through the RMP to enhance wildlife, fisheries, or Federal or State listed plant and animal species habitats. Management prescriptions will vary to protect raptors, colonial birds, riparian, and other important wildlife habitats. Federally Threatened and Endangered (T&E) species will be managed according to U.S. Fish and Wildlife Service Recovery Plans.

Special Management Area Issue

Areas of Critical Environmental Concern (ACEC): Areas of Critical Environmental Concern (ACEC) are public lands where special management attention is required to protect and prevent irreparable damage to important cultural or scenic values, biologic resources or other natural systems, or to provide protection from natural hazards. There are five ACECs designated through the Carlsbad RMP for a total of 12,020 acres. These include the Chosa Draw Caves Complex (2,200 acres); Dark Canyon (1,480 acres); Lonesome Ridge (2,990 acres); Blue Spring (160 acres); and the Pecos River/Canyons Complex (5,190 acres).

Rights-of-Way Corridors and Avoidance Areas: Five rights-of-way corridors have been designated as BLM's preferred locations for major new utility and transportation facility alignments through the Carlsbad Resource Area. The one-mile wide designated corridors total 185 miles in length, and cover approximately 118,400 acres. Public lands are generally available for linear facility development; however, right-of-way applicants will be encouraged to locate projects within the designated corridors.

Right-of-way avoidance areas are defined in BLM Manual 1623.51 as: "...areas where future rights-of-way may be granted only when no feasible alternative route or designated right-of-way corridor is available." Terms and conditions of right-of-way grants will depend on the sensitivity of the affected resources and applicable laws and regulations established to protect them. The RMP designated 34,241 acres of avoidance areas in 27 Special Management Areas (SMAs) and 3,120 acres outside SMAs, for a total of 37,361 acres.

Fire Management Zones: Full fire suppression will be continued on 2,011,983 acres of public land. Full suppression areas are those public lands where wildfires may result in loss of life, facilities, or have a significant adverse impact on land management objectives.

Limited fire suppression will be applied to 159,017 acres of public land, generally west of the Pecos River. Limited fire suppression areas are those public lands where reduced levels of suppression will be applied where low resource values are at risk; where certain fire management activities may cause unacceptable resource damage; where heavy damage to firefighting equipment could occur; or where full suppression would present unacceptable risk to firefighting personnel.

Recreation: Most of the Resource Area will continue to be open for public outdoor recreation use. Eight Special Recreation Management Areas (SRMAs) totaling 12,140 acres are designated through the RMP, and will be managed to protect and enhance natural recreation values.

Off Road Vehicle Management: Public land areas totaling 2,011,506 acres will be designated "open" for Off-Road Vehicle (ORV) use. Sixteen areas encompassing 153,299 acres will be designated "limited" for ORV use. A total of 5,943 acres in eight areas will be "closed" to ORV use.

The 900-acre Alkali Lake and the 55,800-acre Hackberry Lake ORV Use Areas will be BLM's preferred locations for recreational ORV use, and for organized commercial or competitive ORV events. These areas will be managed to ensure that other resource uses will not significantly interfere with organized or recreational ORV use.

Cave Resources: Nine cave management units will be protected and intensively managed. Of these, seven units totaling 5,990 acres will be designated Special Recreation Management Areas (SRMAs); Dry Cave (420 acres) will be designated a Research Natural Area (RNA); and the Chosa Draw Caves Complex (2,220 acres) will be designated an Area of Critical Environmental Concern (ACEC). Surface-disturbing activities will not be allowed within 300 feet of known cave resources.

Visual Resources: The Carlsbad Resource Area has been delineated into four Visual Resource Management (VRM) classes. Class I has been designated for the Lonesome Ridge Area of Critical Environmental Concern (2,990 acres) to allow only natural ecological changes to occur.

Class II has been designated in 12 Special Management Areas (SMAs) totaling 27,400 acres, and in an additional 10,670 acres outside SMAs, for a total of 38,070 acres. The Class II VRM objectives provide that any changes in the basic visual elements (form, line, color, texture) caused by a management activity should not be evident in the characteristic landscape.

Class III has been designated in seven SMAs totaling 48,170 acres, and on 227,990 acres outside SMAs for a total of 276,160 acres. Class III VRM objectives provide that changes in the basic visual elements caused by a management activity may be evident, but must remain subordinate to the characteristic landscape.

Class IV has been designated on 1,856,250 acres of public land in the Resource Area. Class IV VRM objectives allow for changes to the original composition and character, but changes must reflect what could be a natural occurrence within the characteristic landscape.

The Guadalupe Escarpment and Dark Canyon Scenic Areas (52,790 acres) will be managed to protect its outstanding visual resource values.

Cultural Resources: Cultural Resource Management Plans (CRMPs) will be developed for seven Cultural Resource Management Areas (CRMAs) covering 17,028 acres. Management direction will emphasize the preservation, management, and use of the cultural resources found within these areas. Cultural resources throughout the Resource Area will continue to be inventoried and evaluated prior to surface-disturbing activities, with appropriate mitigating measures applied where necessary.

Paleontological Resources: Dry Cave will be managed to protect its significant paleontological resources by designating a 420-acre Research Natural Area (RNA).

Wilderness: Four Wilderness Study Areas (WSAs) covering 6,966 acres will continue to be managed in accordance with the "Interim Management Policy (IMP) and Guidelines for Lands Under Wilderness Review" until formally designated as Wilderness by Congress or officially removed from interim management. The wilderness study process and recommendations for public land WSAs are documented in the New Mexico Wilderness EIS (BLM, 1987) and are not included in the RMP. None of the WSA's have been recommended for wilderness designation.

Access Issue

Improved legal and/or physical access will be obtained for 25 public land access tracts. Access restrictions will be implemented in 22 tracts as part of the Off Road Vehicle (ORV) designation implementation process, through Access Management Plans, or through routine road abandonment procedures.

THE PROPOSED PLAN AND ALTERNATIVES CONSIDERED

Alternatives Considered

Five alternatives were considered and analyzed in detail in the Draft Carlsbad RMP/EIS (DEIS) published in February, 1986. Each of the five alternatives provided a set of management objectives and prescriptions to resolve the major planning issues. Any of the alternatives, combined with continuing management guidance, could have comprised a feasible land use plan to guide management of the public lands and resources in accordance with FLPMA requirements for multiple use and sustained yield.

The five alternatives which were analyzed in the DEIS included:

Alternative A: Emphasized continuing current management direction, policies, and existing land use plans. It is the No Action Alternative required by NEPA.

Alternative B: Emphasized production and consumptive use of the public lands and resources, while providing required environmental protection.

Alternative C: Emphasized balancing production of goods and services from the public lands with the protection of environmental values.

Alternative D: Emphasized nonconsumptive natural resource values and was the environmental protection alternative.

Alternative D1: Emphasized the removal of livestock from public lands. The "No Grazing" Alternative was mandated for analysis purposes only.

Proposed Plan

The Bureau's preferred alternative (Alternative C) in the Draft RMP/EIS, was published as the Proposed Plan in the Final EIS. The decision to select Alternative C as the Proposed Plan was based on: 1) the need to resolve the five planning issues identified through the planning process; 2) the input received from public land users, as well as other Federal, State and local government agencies; and 3) the environmental analysis for the Alternatives considered in the Draft RMP/EIS. After minor modifications resulting from protest resolution, Alternative C was carried through into the Revised Proposed RMP.

IMPLEMENTATION, MITIGATION AND MONITORING

Implementation

The Carlsbad RMP will provide the framework and guidelines for making management decisions for the Resource Area for the next ten to twenty years. Priorities for implementation of management decisions will be contingent upon program funding levels established through the budget process. Program priorities will shift as budget allocations change in response to new administrative policy, new Departmental direction, or new Bureau goals.

Mitigation

All decisions made under the Plan require that adequate consideration be given to all resources prior to implementation. All practical measures will be taken to ensure that any adverse impacts are mitigated in a manner consistent with those measures identified in the Plan.

The mitigating measures identified in the plan will be expanded upon as needed in Environmental Assessments or Environmental Impact Statements prepared for site-specific actions. These measures are discussed in the Proposed RMP/Final EIS and in Chapter 2 of the Resource Management Plan. Mitigation measures will be strictly enforced during implementation.

Monitoring

Monitoring will be performed to ensure conformance of land uses with the Plan and to indicate how effective the planned mitigating measures are in minimizing environmental impacts. Additional measures to protect the environment may be taken, if warranted by the results of monitoring studies. Individual resource program monitoring will be conducted as described in Chapter 2 of the Resource Management Plan.

PUBLIC INVOLVEMENT

The views of the public have been sought throughout the planning process. Public participation is summarized in Chapter 1 of the Approved Carlsbad RMP.

An annual summary update will be published to inform the public of the progress made in implementing the RMP. The summary will also describe the Activity Plans and other actions scheduled for the following year. This will provide the public an opportunity to be involved in the specific land management actions resulting from implementation of the RMP.

PROTEST RESOLUTION AND PLAN MODIFICATION

Protest Resolution

The Proposed Resource Management Plan/Final Environmental Impact Statement (FEIS) was published in September 1986, and supplemented in December 1986. The public comment/protest period extended from January 2 to March 2, 1987. A total of 21 protests were received by the Director, and of these, 17 were settled and withdrawn through negotiations between the BLM and the protestors. The remainder of the protests were settled by decision.

The Revised Proposed Plan was issued in January 1988, to publish minor revisions which resulted from the resolution of the 21 protests to the Proposed Plan. The revisions were viewed as "fine-tuning," and the integrity of the Proposed Plan and its objectives remained intact. One protest was received by the Director on the revisions.

After concluding that the BLM's New Mexico State Director and Roswell District Manager followed the applicable planning procedures, laws, regulations, policies and resource considerations in developing the Carlsbad RMP, the Director determined that the protest did not warrant changing the Revised Proposed Plan. The revised portions of the Proposed RMP are incorporated into Chapter 2 of the approved Resource Management Plan as decisions derived through the multiple-use planning process.

Plan Modification

Throughout the planning process, some acreage figures have varied from one publication to another. Changes resulting from proposed action modifications have been documented for public review consistent with NEPA requirements and Bureau planning policy.

Minor acreage adjustments generally reflect improved mapping and more accurate calculation procedures, and do not constitute changes in proposed actions or management objectives for the specific areas affected. As implementation progresses, any acreage figures requiring modification will be documented, and the RMP maintained in accordance with Bureau planning policy and procedures. The Annual RMP Update will document any future acreage changes, along with a determination of significance.

CONSISTENCY

No inconsistencies with the plans, programs, or policies of other Federal agencies or State and local governments were identified during the RMP process, including the Governor's Consistency Review.

CONCLUSION

This Record of Decision constitutes the final Bureau action approving the Carlsbad Resource Management Plan. Any person adversely affected by a decision of the Bureau Officer in implementing some portion of the Resource Management Plan may appeal such action to the Interior Board of Land Appeals (IBLA) pursuant to 43 Code of Federal Regulations Part 4.400 at the time the action is proposed for implementation.

PUBLIC AVAILABILITY OF THIS DOCUMENT

Copies of the Carlsbad Resource Management Plan are available on request by contacting:

Area Manager
Bureau of Land Management
Carlsbad Resource Area
P. O. Box 1778
Carlsbad, NM 88220

Telephone: (505) 887-6544.

SEP 30 1988

Date



Larry L. Woodard
New Mexico State Director
Bureau of Land Management

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